

Chairperson Michael Beckendorf
Vice-Chairperson Leo Gonzalez



Commissioners
Pete Bienski
Bobby Gutierrez
Nancy Hardeman
Scott Hickle
G.H. Jones
Kevin Krolczyk
Prentiss Madison

MINUTES

**BRYAN PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, JUNE 20, 2013 – 6:00 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer: *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription*

1. CALL TO ORDER.

Chairperson Beckendorf called the meeting to order at 6:02 pm.

Commissioners	Present	2013 Regular Meetings Held	2013 Regular Meetings Attended	Regular Meetings Held During Last 6 Months	Regular Meetings Attended During Last 6 Months
Michael Beckendorf	Yes	11	11	11	11
Pete Bienski	Yes	11	10	11	10
Leo Gonzalez	No	11	9	11	9
Bobby Gutierrez	Yes	11	10	11	10
Nancy Hardeman	Yes	11	9	11	9
Scott Hickle	Yes	11	10	11	10
G. H. Jones	Yes	11	11	11	11
Kevin Krolczyk	Yes	11	9	11	9
Prentiss Madison	Yes	11	9	11	9

Staff Members Present: Mr. Martin Zimmermann, Planning Administrator, Mr. Randy Haynes, Project Planner, Ms. Janis Hampton, City Attorney, Ms. Maggie Dalton, Staff Planner, Mr. Matthew Hilgemeier, Staff Planner, and Ms. Annette Denton, Planning Intern.

2. HEAR CITIZENS.

No one came forward.

3. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.

No affidavits were filed.

4. CONSENT AGENDA.

A. Approval of minutes from the workshop and regular meetings on June 6, 2013.

B. Final Plat FP13-04: Opa & Oma Subdivision

R. Haynes

Proposed Final Plat of Opa & Oma Subdivision, being 4.22 acres of land out of S.F. Austin League No. 9, A-62 and adjoining the south side of W. 28th Street between Scanlin and Cunningham Streets in Bryan, Brazos County, Texas.

Commissioner Jones moved to approve the Consent Agenda. Commissioner Hickle seconded the motion and the motion passed unanimously.

REQUESTS FOR APPROVAL OF CONDITIONAL USE PERMITS – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; appeals may be directed to City Council).

5. Conditional Use Permit CU13-05: Patrick Burkart and David Riddle

R. Haynes

A request for approval of a Conditional Use Permit to allow a residence in a Commercial District (C-3), specifically on property at 206 South Sims Avenue located at the northwest corner of South Sims Avenue and West 28th Street, being 35' of Lot 2 and Lots 3-5 in Block 158 of the Bryan Original Townsite in Bryan, Brazos County, Texas.

Mr. Haynes presented the staff report (on file in the Development Services Department). Staff recommends approving the request.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Jones moved to approve Conditional Use Permit CU13-05 and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Hardeman seconded the motion and the motion passed unanimously.

REQUESTS FOR APPROVAL OF ZONING CHANGES – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation; City Council has final approval).

6. Rezoning RZ13-07: Galindo Ranch Partnership

R. Haynes

A request to change the zoning classification from a combination of Office District (C-1) and Agricultural - Open District (A-O), to Planned Development - Mixed Use District (PD-M) on 43.016 acres of land adjoining the south side of the 2000-2200 blocks of West Villa Maria Road between Shirewood and Autumn Lake Drives in Bryan, Brazos County, Texas.

Mr. Haynes presented the staff report (on file in the Development Services Department). Staff recommends approving the request.

The public hearing was opened.

Mr. Allen McBride, 2800 Goldberry, Bryan, Texas, came forward to inquire how this development would affect the floodplain, stating that his house almost flooded in 2004.

Mr. Haynes responded to Mr. McBride that the conservation portion of the design would cover most of the floodplain.

The public hearing was closed.

Commissioner Bienski moved to recommend approval of Rezoning RZ13-07 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Hickle seconded the motion.

Commissioners discussed:

- Mr. Galindo's previous work in the area.
- The quality of the development.

The motion passed unanimously.

REQUESTS RELATED TO 0.2924 ACRES OF LAND ADJOINING THE NORTH SIDE OF ROSE STREET BETWEEN MAY AND JUNE STREETS, BEING THE SOUTH ONE-HALF OF LOT 3 IN BLOCK 4 OF THE REVISED WELCH ADDITION IN BRYAN, BRAZOS COUNTY, TEXAS AND CURRENTLY ADDRESSED AS 710 ROSE STREET – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Variance Appeal may be directed to City Council; Commission has final approval on replat).

7. Planning Variance PV13-03: D. Rivera Management, LLC

M. Hilgemeier

A request for 7.5-foot variance from the minimum 50-foot lot width generally required on lots in Residential District - 5000 (RD-5) zoning districts, to allow the creation of two new lots each proposed to be only 42.5 feet in width on 0.2924 acres of land adjoining the north side of Rose Street between May and June Streets, being the south one-half of Lot 3 in Block 4 of the Revised Welch Addition in Bryan, Brazos County, Texas.

Mr. Hilgemeier presented the staff report (on file in the Development Services Department). Staff recommends denying the request.

The public hearing was opened.

Mr. David Johnson, 3703 Old Reliance Road, Bryan, Texas, representing the applicant, stated that the only design which the applicant could achieve without a variance created an unmarketable lot. He stated that since the property had the connections for utilities for two properties, he wished to build two homes.

Mr. Cole and Mrs. Brenda Potter, 1565 East William Joel Bryan, Bryan, Texas, came forward to state that they lived in the neighborhood and did not want the lot to be subdivided at all, but to contain one single-family home.

The public hearing was closed.

Commissioner Hickle moved to deny Planning Variance PV13-03, because not all the criteria for granting a lot width variance have been met in this particular case, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Hardeman seconded the motion.

Commissioners discussed:

- The ability to place homes on the lots proposed.
- The neighboring properties.

The motion passed unanimously.

8. Replat RP13-11: Block 4 of the Revised Welch Addition **M. Hilgemeier**
Proposed Replat of the south one-half of Lot 3 in Block 4 of the Revised Welch Addition.

Mr. Hilgemeier presented the staff report (on file in the Development Services Department). Staff recommends denying the request due to the previous denial of the variance.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Hickle moved to deny Replat RP 13-11, finding that not all requirements for a replat under the state and local requirements for replatting have been met at this time, specifically, since the lots show do not meet minimum lot width standards. Commissioner Bienski seconded the motion and the motion passed unanimously.

REQUESTS FOR APPROVAL OF VARIANCE TO STANDARDS OF ARTICLE IV (BUILDING AND LOT STANDARDS) OF THE LAND AND SITE DEVELOPMENT ORDINANCE (BRYAN CODE OF ORDINANCES CHAPTER 62) – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; applicants may direct appeals to City Council).

9. Planning Variance PV13-02: Maria Guzman

M. Dalton

Requests for approval of a 20-foot variance from the minimum 25-foot front building setback and a 2.5-foot variance from the minimum 7.5-foot side building setback generally required on lots in Residential District – 5000 (RD-5) zoning districts, to legitimize previous construction of a carport that extends within 5 feet of the front property line and within 5 feet of the northeast side property line on property at 4534 Woodbend Drive, being Lot 6 in Block 2 of Creekwood Estates – Phase 3 and located at the east corner of Creekwood and Woodbend Drives in Bryan, Brazos County, Texas.

Ms. Dalton presented the staff report (on file in the Development Services Department). Staff recommends denying the request.

The public hearing was opened.

Mrs. Maria Guzman, 4534 Woodbend Drive, Bryan, Texas, the applicant, and her husband came forward to speak in favor of the proposed variance. She stated that she did not know she needed a building permit and that her husband built the structure similar to other carports in the area.

The public hearing was closed.

Commissioner Hardeman moved to deny Planning Variance PV13-02, because not all the criteria for granting a lot width variance have been met in this particular case, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Beckendorf seconded the motion.

Commissioners discussed:

- The need for people to seek building permits.
- Future enforcement for neighboring properties with similar structures.
- The unintentional nature of the violation.
- The option for applicants to discuss other options with staff.
- The need to enforce the standards.
- The distance of the variance requested.

The motion passed unanimously.

10. ADJOURN.

Without objection, Chairperson Beckendorf adjourned the meeting at 6:41 pm.

These minutes shall serve as the official findings of the City of Bryan Planning and Zoning Commission, as approved on this the **18th day of July, 2013.**

Michael Beckendorf, Chairperson
Planning and Zoning Commission
City of Bryan, Texas

Martin Zimmermann, AICP
Planning Administrator and Secretary to the
Planning and Zoning Commission

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